

# House Study Bill 174 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON BALTIMORE)

## A BILL FOR

1 An Act authorizing alternate members of the board of parole.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION.   **904A.2A Board of parole —**  
2 **alternate members.**

3     1. Notwithstanding sections 17A.11, 69.16, and 69.16A,  
4 the board of parole may have a pool of alternate members to  
5 substitute for board members who are disqualified or become  
6 unavailable for any other reason for hearings. The board may  
7 recommend, subject to approval by the governor, up to five  
8 people to serve in the pool of alternate members who meet the  
9 requirements of section 904A.2.

10    2. A person serves in the pool of alternate members at  
11 the discretion of the board. However, the length of time an  
12 alternate member may serve in the pool shall not exceed four  
13 years. A person who serves as an alternate member may later be  
14 appointed to the board and may serve four years, in accordance  
15 with section 904A.1. A former board of parole member may serve  
16 in the pool of alternate members.

17    3. When a sufficient number of board of parole members are  
18 unavailable to hear a case, the board of parole may request  
19 alternate members to serve.

20    4. Notwithstanding sections 17A.11 and 904A.1:

21     *a.* An alternate member is deemed a member of the board  
22 of parole only for the hearing panel for which the alternate  
23 member serves.

24     *b.* The majority of a hearing panel containing alternate  
25 members shall be members of the board.

26     *c.* A decision of a hearing panel containing alternate  
27 members is considered a final decision of the board.

28    5. An alternate member shall not receive compensation in  
29 excess of that authorized by law for a board of parole member  
30 who is not the chairperson or vice chairperson of the board of  
31 parole.

32                                   EXPLANATION

33    This bill authorizes the board of parole to have a pool of up  
34 to five alternate members, recommended by the board of parole  
35 and subject to approval by the governor, to substitute for

1 board members who are disqualified or become unavailable for  
2 any other reason for hearings. The bill requires the alternate  
3 members to meet the requirements applicable to board members  
4 as provided in section 904A.2.

5 The term of an alternate member is four years, the same  
6 as for regular members of the board of parole. An alternate  
7 member can be appointed to the board after serving as an  
8 alternate, and an alternate member can be a former member of  
9 the board of parole.

10 The bill provides that the board of parole determines when an  
11 alternate may serve. The bill still requires that a majority  
12 of members of a hearing panel of the board of parole shall be  
13 members of the board of parole and not alternates. A decision  
14 of the board of parole with alternate members is considered  
15 a final decision of the board. Compensation for alternate  
16 members who serve shall be no more than members of the board of  
17 parole who are not the chair or vice-chair of the board.